

Senate File 467 - Introduced

SENATE FILE 467
BY COMMITTEE ON EDUCATION

(SUCCESSOR TO SSB 1108)

A BILL FOR

1 An Act relating to the duties and operations of the department
2 of education, the school budget review committee, and
3 local school boards and to student eligibility under the
4 senior year plus program, and including effective date and
5 applicability provisions.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 256.5A, Code 2011, is amended to read as
2 follows:

3 **256.5A Nonvoting member.**

4 1. The governor shall appoint the one nonvoting student
5 member of the state board for a term of ~~one year~~ two years
6 beginning and ending as provided in section 69.19. The
7 nonvoting student member shall be appointed from a list of
8 names submitted by the state board of education. Students
9 enrolled in ~~either grade ten or eleven~~ in a public school
10 may apply to the state board to serve as a nonvoting student
11 member.

12 2. The department shall develop an application process that
13 requires the consent of the student's parent or guardian if
14 the student is a minor, initial application approval by the
15 school district in which the student applicant is enrolled, and
16 submission of approved applications by a school district to the
17 department.

18 3. The nonvoting student member's school district of
19 enrollment shall notify the student's parents if the student's
20 grade point average falls during the period in which the
21 student is a member of the state board.

22 4. The state board shall adopt rules under chapter 17A
23 specifying criteria for the selection of applicants whose names
24 shall be submitted to the governor. Criteria shall include,
25 but are not limited to, academic excellence, participation
26 in extracurricular and community activities, and interest in
27 serving on the board. Rules adopted by the state board shall
28 also require, if the student is a minor, supervision of the
29 student by the student's parent or guardian while the student
30 is engaged in authorized state board business at a location
31 other than the community in which the student resides, unless
32 the student's parent or guardian submits to the state board a
33 signed release indicating the parent or guardian has determined
34 that supervision of the student by the parent or guardian is
35 unnecessary.

1 5. The nonvoting student member appointment is not subject
2 to section 69.16 or 69.16A.

3 6. The nonvoting student member shall have been enrolled
4 in a public school in Iowa for at least one year prior to the
5 member's appointment. ~~A nonvoting student member who will not~~
6 ~~graduate from high school prior to the end of a second term may~~
7 ~~apply to the state board for submission of candidacy to the~~
8 ~~governor for a second one-year term.~~

9 7. A nonvoting student member shall be paid a per diem as
10 provided in section 7E.6 and the student and the student's
11 parent or guardian shall be reimbursed for actual and necessary
12 expenses incurred in the performance of the student's duties as
13 a nonvoting member of the state board.

14 8. A vacancy in the membership of the nonvoting student
15 member shall not be filled until the expiration of the term.

16 Sec. 2. Section 256.9, subsections 26 and 27, Code 2011, are
17 amended by striking the subsections.

18 Sec. 3. Section 256.9, subsection 53, paragraph a, Code
19 2011, is amended to read as follows:

20 a. Develop and distribute, in collaboration with the area
21 education agencies, core curriculum technical assistance
22 and implementation strategies that school districts and
23 accredited nonpublic schools shall utilize, including but
24 not limited to the development and delivery of formative and
25 ~~end-of-course~~ model end-of-course and additional assessments
26 classroom teachers may use to measure student progress
27 on the core curriculum adopted pursuant to section 256.7,
28 subsection 26. The department shall, in collaboration with the
29 advisory group convened in accordance with paragraph "b" and
30 educational assessment providers, identify and make available
31 to school districts model end-of-course ~~and additional model~~
32 ~~end-of-course~~ and additional assessments to align with the
33 expectations included in the Iowa core curriculum. The model
34 assessments shall be suitable to meet the multiple assessment
35 measures requirement specified in section 256.7, subsection 21,

1 paragraph "c".

2 Sec. 4. Section 256.10, subsection 2, Code 2011, is amended
3 to read as follows:

4 2. Appointments to the professional staff of the department
5 shall be without reference to political party affiliation,
6 religious affiliation, sex, or marital status, but shall be
7 based solely upon fitness, ability, and proper qualifications
8 for the particular position. The professional staff shall
9 serve at the discretion of the director. A member of the
10 professional staff shall not be dismissed for cause without
11 ~~appropriate due process procedures including a hearing an~~
12 opportunity to meet with the director.

13 Sec. 5. Section 256.30, Code 2011, is amended to read as
14 follows:

15 **256.30 Educational expenses for American Indians.**

16 1. The department of education shall provide moneys to pay
17 the expense of educating American Indian children residing in
18 the Sac and Fox Indian settlement on land held in trust by
19 the secretary of the interior of the United States in excess
20 of federal moneys paid to the tribal council for educating
21 the American Indian children when moneys are appropriated for
22 that purpose. ~~The tribal council shall administer the moneys~~
23 ~~distributed to it by the department and shall submit an annual~~
24 ~~report and other reports as required by the department to the~~
25 ~~department on the expenditure of the moneys.~~

26 2. The tribal council shall administer moneys distributed
27 to it by the department of education as provided in subsection

28 1. The tribal council shall first use the moneys distributed
29 ~~to it by the department of education~~ for the purposes of this
30 section to pay the additional costs of salaries for licensed
31 instructional staff for educational attainment and full-time
32 equivalent years of experience to equal the salaries listed on
33 the proposed salary schedule for the school at the Sac and Fox
34 Indian settlement for that school year, but the salary for a
35 licensed instructional staff member employed on a full-time

1 basis shall not be less than eighteen thousand dollars.

2 3. The department of management shall approve allotments
3 of moneys appropriated in for purposes of this section ~~when~~
4 ~~the department of education certifies to the department of~~
5 ~~management that the requirements of this section have been met.~~

6 Sec. 6. Section 257.6, subsection 1, paragraph a,
7 subparagraph (3), Code 2011, is amended to read as follows:

8 (3) Shared-time and part-time pupils of school age enrolled
9 in public schools within the district, irrespective of the
10 districts in which the pupils reside, in the proportion that
11 the time for which they are enrolled or receive instruction for
12 the school year is to the time that full-time pupils carrying
13 a normal course schedule, at the same grade level, in the
14 same school district, for the same school year, are enrolled
15 and receive instruction. Tuition charges to the parent or
16 guardian of a shared-time or part-time nonresident pupil shall
17 be reduced by the amount of any increased state aid received by
18 the district by the counting of the pupil. This subparagraph
19 applies to pupils enrolled in grades nine through twelve under
20 section 299A.8 and to pupils from accredited nonpublic schools
21 accessing classes or services on the accredited nonpublic
22 school premises or the school district site, but excludes
23 accredited nonpublic school pupils receiving classes or
24 services funded by federal grants or allocations.

25 Sec. 7. Section 257.30, subsection 1, Code 2011, is amended
26 to read as follows:

27 1. A school budget review committee is established in the
28 department of education and consists of the director of the
29 department of education in an ex officio, nonvoting capacity,
30 the director of the department of management, and four members
31 who are knowledgeable in the areas of Iowa school finance or
32 public finance issues appointed by the governor to represent
33 the public. At least one of the public members shall possess a
34 master's or doctoral degree in which areas of school finance,
35 economics, or statistics are an integral component, or shall

1 have equivalent experience in an executive administrative
2 or senior research position in the education or public
3 administration field. The members appointed by the governor
4 shall serve staggered ~~three-year~~ four-year terms beginning
5 and ending as provided in section 69.19 and are subject to
6 senate confirmation as provided in section 2.32. The committee
7 shall meet and hold hearings each year and shall continue in
8 session until it has reviewed budgets of school districts, as
9 provided in section 257.31. The committee may call in school
10 board members and employees as necessary for the hearings.
11 The committee's scheduled hearing agendas and the minutes of
12 such hearings shall be posted on the department of education's
13 internet site. Legislators shall be notified of hearings
14 concerning school districts in their legislative districts.

15 Sec. 8. Section 257.31, subsection 2, Code 2011, is amended
16 to read as follows:

17 2. The committee shall specify the number of hearings held
18 annually, ~~the reasons for the committee's recommendations, a~~
19 summary of decisions, information about the amounts of property
20 tax levied by school districts for a cash reserve, and other
21 information the committee deems advisable on the department of
22 education's internet ~~website~~ site.

23 Sec. 9. Section 257.37, subsection 4, Code 2011, is amended
24 to read as follows:

25 4. "*Enrollment served*" means the basic enrollment plus the
26 number of nonpublic school pupils served with media services
27 or educational services, as applicable, except that if a
28 nonpublic school pupil or a pupil attending another district
29 under a whole grade sharing agreement or open enrollment
30 receives services through an area other than the area of the
31 pupil's residence, the pupil shall be deemed to be served by
32 the area of the pupil's residence, which shall by contractual
33 arrangement reimburse the area through which the pupil actually
34 receives services. Each school district shall include in
35 the enrollment report submitted pursuant to section 257.6,

1 subsection 1, the number of nonpublic school pupils within each
2 school district for media and educational services served by
3 the area. However, the school district shall not include in
4 the enrollment report nonpublic school pupils receiving classes
5 or services funded by federal grants or allocations.

6 Sec. 10. Section 257.40, subsection 1, Code 2011, is amended
7 to read as follows:

8 1. The board of directors of a school district requesting
9 to use modified allowable growth for programs for returning
10 dropouts and dropout prevention shall submit requests for
11 modified ~~at-risk~~ allowable growth, including budget costs,
12 to the department of education not later than December 15 of
13 the year preceding the budget year during which the program
14 will be offered. The department shall review the request
15 and shall prior to January 15 either grant approval for the
16 request for the program or return the request for approval to
17 the school district with comments of the department included.
18 An unapproved request for a program may be resubmitted with
19 modifications to the department not later than February 1.
20 Not later than February 15, the department shall notify the
21 department of management and the school budget review committee
22 of the names of the school districts for which programs using
23 modified allowable growth for funding have been approved and
24 the approved budget of each program listed separately for each
25 school district having an approved request.

26 Sec. 11. Section 257.41, Code 2011, is amended to read as
27 follows:

28 **257.41 Funding for programs for returning dropouts and**
29 **dropout prevention.**

30 The budget of an approved program for returning dropouts and
31 dropout prevention for a school district, after subtracting
32 funds received from other sources for that purpose, shall be
33 funded annually on a basis of one-fourth or more from the
34 district cost of the school district and up to three-fourths
35 by an increase in allowable growth as defined in section

1 257.8. Annually, the ~~department of management~~ school budget
2 review committee shall establish a modified allowable growth
3 for each such school district equal to the difference between
4 the approved budget for the program for returning dropouts and
5 dropout prevention for that district and the sum of the amount
6 funded from the district cost of the school district plus funds
7 received from other sources.

8 Sec. 12. Section 259A.1, Code 2011, is amended to read as
9 follows:

10 **259A.1 Tests.**

11 The department of education shall cause to be made
12 available for qualified individuals a high school equivalency
13 diploma. The diploma shall be issued on the basis of
14 satisfactory competence as shown by tests covering all of the
15 following: ~~reading, arts, language arts, writing~~ language
16 arts-reading, language arts-writing, mathematics, science, and
17 social studies.

18 Sec. 13. Section 261E.3, subsection 1, paragraph e, Code
19 2011, is amended to read as follows:

20 e. The student shall have demonstrated proficiency in
21 reading, mathematics, and science as evidenced by achievement
22 scores on the latest administration of the state assessment for
23 which scores are available and as defined by the department.
24 However, a student receiving competent private instruction
25 under chapter 299A may demonstrate proficiency as evidenced
26 by a selection index, which is the sum of the critical
27 reading, mathematics, and writing skills assessments, of one
28 hundred forty-one on the preliminary scholastic aptitude
29 test administered by the college board; a composite score
30 of at least twenty-one on the college readiness assessment
31 administered by ACT, inc.; or a sum of the critical reading
32 and mathematics scores of at least nine hundred ninety on the
33 college readiness assessment administered by the college board.
34 If a student is not proficient in one or more of the content
35 areas listed in this paragraph, has not taken the college

1 readiness assessments identified in this paragraph, or has not
2 achieved the scores specified in this paragraph, the school
3 board may establish alternative but equivalent qualifying
4 performance measures including but not limited to additional
5 administrations of the state assessment, portfolios of student
6 work, student performance rubric, or end-of-course assessments.

7 Sec. 14. Section 273.3, subsection 12, Code 2011, is amended
8 to read as follows:

9 12. Prepare an annual budget estimating income and
10 expenditures for programs and services as provided in sections
11 273.1 to 273.9 and chapter 256B within the limits of funds
12 provided under section 256B.9 and chapter 257. The board
13 shall give notice of a public hearing on the proposed budget
14 by publication in an official county newspaper in each county
15 in the territory of the area education agency in which the
16 principal place of business of a school district that is a part
17 of the area education agency is located. The notice shall
18 specify the date, which shall be not later than March 1 of
19 each year, the time, and the location of the public hearing.
20 The proposed budget as approved by the board shall then be
21 submitted to the state board of education, on forms provided
22 by the department, no later than March 15 preceding the
23 next fiscal year for approval. The state board shall review
24 the proposed budget of each area education agency and shall
25 before ~~April~~ May 1, either grant approval or return the budget
26 without approval with comments of the state board included. An
27 unapproved budget shall be resubmitted to the state board for
28 final approval not later than ~~April~~ May 15. ~~For the fiscal~~
29 ~~year beginning July 1, 1999, and each succeeding fiscal year,~~
30 ~~the~~ The state board shall give final approval only to budgets
31 submitted by area education agencies accredited by the state
32 board or that have been given conditional accreditation by the
33 state board.

34 Sec. 15. Section 273.23, subsection 5, Code 2011, is amended
35 to read as follows:

1 5. The initial board, or new board if established in time
2 under subsection 3, of the newly formed agency shall prepare an
3 annual budget estimating income and expenditures for programs
4 and services as provided in sections 273.1 through 273.9
5 and chapter 256B within the limits of funds provided under
6 section 256B.9 and chapter 257. The board shall give notice
7 of a public hearing on the proposed budget by publication in
8 an official county newspaper in each county in the territory
9 of the area education agency in which the principal place
10 of business of a school district that is a part of the area
11 education agency is located. The notice shall specify the
12 date, which shall not be later than March 1, the time, and
13 the location of the public hearing. The proposed budget as
14 approved by the board shall be submitted to the state board,
15 on forms provided by the department, no later than March 15
16 for approval. The state board shall review the proposed
17 budget of the newly formed area education agency and shall,
18 before ~~April~~ May 1, either grant approval or return the budget
19 without approval with comments of the state board included. An
20 unapproved budget shall be resubmitted to the state board for
21 final approval not later than ~~April~~ May 15. The state board
22 shall give final approval only to budgets submitted by area
23 education agencies accredited by the state board or that have
24 been given conditional accreditation by the state board.

25 Sec. 16. Section 275.23A, subsection 2, Code 2011, is
26 amended to read as follows:

27 2. Following each federal decennial census the school
28 board shall determine whether the existing director district
29 boundaries meet the standards in subsection 1 according to the
30 most recent federal decennial census.

31 a. In addition to the authority granted to voters to change
32 the number of directors or method of election as provided in
33 sections 275.35, 275.36, and 278.1, the board of directors of
34 a school district may, following a federal decennial census,
35 by resolution and in accordance with this section, authorize

1 a change in the method of election as set forth in section
2 275.12, subsection 2, or a change to either five or seven
3 directors after the board conducts a hearing on the resolution.

4 (1) If the board proposes to change the number of directors
5 from seven to five directors, the resolution shall include a
6 plan for reducing the number of directors.

7 (2) If the board proposes to increase the number of
8 directors to seven directors, two directors shall be added
9 according to the procedure described in section 277.23,
10 subsection 2.

11 b. If necessary, the board of directors shall redraw
12 the director district boundaries. The director district
13 boundaries shall be described in the resolution adopted by
14 the school board. The resolution shall be adopted no earlier
15 than November 15 of the second year immediately following the
16 year in which the federal decennial census is taken nor later
17 than May 15 of the ~~second~~ third year immediately following
18 the year in which the federal decennial census is taken.
19 A copy of the plan shall be filed with the area education
20 agency administrator of the area education agency in which the
21 school's electors reside. If the board does not provide for
22 an election as provided in sections 275.35, 275.36, and 278.1
23 and adopts a resolution to change the number of directors or
24 method of election in accordance with this subsection, the
25 district shall change the number of directors or method of
26 election as provided unless, within twenty-eight days following
27 the action of the board, the secretary of the board receives a
28 petition containing the required number of signatures, asking
29 that an election be called to approve or disapprove the action
30 of the board in adopting the resolution. The petition must be
31 signed by eligible electors equal in number to not less than
32 one hundred or thirty percent of the number of voters at the
33 last preceding regular school election, whichever is greater.
34 The board shall either rescind its action or direct the
35 county commissioner of elections to submit the question to the

1 registered voters of the school district at an election held
2 on a date specified in section 39.2, subsection 4, paragraph
3 "c". If a majority of those voting on the question at the
4 election favors disapproval of the action of the board, the
5 district shall not change the number of directors or method of
6 election. If a majority of those voting on the question does
7 not favor disapproval of the action, the board shall certify
8 the results of the election to the department of management and
9 the district shall change the number of directors or method of
10 election as provided in this subsection. At the expiration of
11 the twenty-eight-day period, if no petition is filed, the board
12 shall certify its action to the department of management and
13 the district shall change the number of directors or method of
14 election as provided in this subsection.

15 Sec. 17. Section 278.1, subsection 1, paragraph e, Code
16 2011, is amended to read as follows:

17 e. Direct the transfer of any surplus in the debt service
18 fund, physical plant and equipment levy fund, or other capital
19 projects funds, or public education and recreation levy fund to
20 the general fund.

21 Sec. 18. Section 279.30, Code 2011, is amended to read as
22 follows:

23 **279.30 Exceptions.**

24 Each payment must be made payable to the person entitled to
25 receive the money or deposited directly into an account at a
26 financial institution, as defined in section 527.2, specified
27 by the person entitled to receive the money. The board of
28 directors of a school district or an area education agency may
29 by resolution authorize the secretary, upon approval of the
30 superintendent or designee, or administrator, in the case of
31 an area education agency, to issue payments when the board
32 of directors is not in session in payment of reasonable and
33 necessary expenses, but only upon verified bills filed with the
34 secretary or administrator, and for the payment of salaries
35 pursuant to the terms of a written contract. Each payment

1 must be made payable only to the person performing the service
2 or presenting the verified bill, and must state the purpose
3 for which the payment is issued. All bills and salaries for
4 which payments are issued prior to audit and allowance by the
5 board must be passed upon by the board of directors at the next
6 meeting and be entered in the regular minutes of the secretary.

7 Sec. 19. Section 279.42, Code 2011, is amended to read as
8 follows:

9 **279.42 Gifts to schools.**

10 The board of directors of a school district ~~which that~~
11 receives funds through gifts, ~~devises, and bequests~~ a gift,
12 devise, or bequest shall deposit ~~these the~~ funds in a trust
13 and, permanent, or agency fund and shall use ~~them the~~ funds in
14 accordance with the terms of the gift, devise, or bequest.

15 Sec. 20. Section 279.45, Code 2011, is amended to read as
16 follows:

17 **279.45 Administrative expenditures.**

18 ~~For the budget year beginning July 1, 1989, and each of~~
19 ~~the following three budget years, the board of directors of a~~
20 ~~school district in which the~~ The administrative expenditures
21 as a percent of the a school district's operating general fund
22 for a base year shall not exceed five percent, ~~shall reduce its~~
23 ~~administrative expenditures so that they are one-half percent~~
24 ~~less as a percent of the school district's operating fund than~~
25 ~~they were for the base year. However, a school district is~~
26 ~~not required to reduce its administrative expenditures below~~
27 ~~five percent of its operating fund. Thereafter, a school~~
28 ~~district shall not increase the percent of its administrative~~
29 ~~expenditures compared to its operating fund. Annually,~~
30 the board of directors shall certify to the department of
31 education the amounts of the school district's administrative
32 expenditures and its operating general fund. For the purposes
33 of this section, "base year" and "budget year" mean means
34 the same as defined in ~~section 442.6, Code 1989, and section~~
35 ~~257.2, and~~ "administrative expenditures" means expenditures for

1 executive administration.

2 Sec. 21. Section 282.9, subsection 1, Code 2011, is amended
3 to read as follows:

4 1. Notwithstanding this chapter and sections 275.55A~~7~~ and
5 256F.4, and ~~282.187~~, or any other provision to the contrary,
6 prior to knowingly enrolling an individual who is required
7 to register as a sex offender under chapter 692A, but who is
8 otherwise eligible to enroll in a public school, the board of
9 directors of a school district shall determine the educational
10 placement of the individual. Upon receipt of notice that a
11 student who is enrolled in the district is required to register
12 as a sex offender under chapter 692A, the board shall determine
13 the educational placement of the student. The tentative agenda
14 for the meeting of the board of directors at which the board
15 will consider such enrollment or educational placement shall
16 specifically state that the board is considering the enrollment
17 or educational placement of an individual who is required
18 to register as a sex offender under chapter 692A. If the
19 individual is denied enrollment in a school district under this
20 section, the school district of residence shall provide the
21 individual with educational services in an alternative setting.

22 Sec. 22. Section 282.10, subsection 4, Code 2011, is amended
23 to read as follows:

24 4. A whole grade sharing agreement shall be signed by the
25 boards of the districts involved in the agreement not later
26 than February 1 of the school year preceding the school year
27 for which the agreement is to take effect. The boards of
28 the districts shall negotiate as part of the new or existing
29 agreement the disposition of ~~teacher quality~~ funding provided
30 under chapter 284.

31 Sec. 23. Section 282.18, subsection 4, Code 2011, is amended
32 by adding the following new paragraph:

33 NEW PARAGRAPH. *0c.* If a request for transfer is submitted
34 to the receiving district after March 1 of the preceding
35 school year on behalf of a pupil whose sibling is already

1 participating in open enrollment, the receiving district shall
2 take action to approve the request.

3 Sec. 24. Section 282.18, subsection 5, Code 2011, is amended
4 to read as follows:

5 5. Open enrollment applications filed after March 1 of
6 the preceding school year that do not qualify for ~~good-cause~~
7 approval as provided in subsection 4 shall be subject to the
8 approval of the board of the resident district and the board
9 of the receiving district. The parent or guardian shall send
10 notification to the district of residence and the receiving
11 district that the parent or guardian seeks to enroll the
12 parent's or guardian's child in the receiving district. A
13 decision of either board to deny an application filed under
14 this subsection involving repeated acts of harassment of the
15 student or serious health condition of the student that the
16 resident district cannot adequately address is subject to
17 appeal under section 290.1. The state board shall exercise
18 broad discretion to achieve just and equitable results that are
19 in the best interest of the affected child or children.

20 Sec. 25. Section 284.10, subsection 2, Code 2011, is amended
21 to read as follows:

22 2. An administrator licensed under chapter 272 who conducts
23 evaluations of teachers for purposes of this chapter shall
24 complete the evaluator training program. A practitioner
25 licensed under chapter 272 who is not an administrator
26 may enroll in the evaluator training program. Enrollment
27 preference shall be given to administrators and to other
28 practitioners who are not beginning teachers. Upon successful
29 completion, the provider shall certify that the administrator
30 or other practitioner is qualified to conduct evaluations
31 for employment, make recommendations for licensure, and make
32 recommendations that a teacher is qualified to advance from one
33 career path level to the next career path level pursuant to
34 this chapter. Certification is for a period of five years and
35 may be renewed.

1 Sec. 26. Section 291.1, Code 2011, is amended to read as
2 follows:

3 **291.1 President — duties.**

4 The president of the board of directors shall preside at
5 all of its meetings, sign all contracts made by the board, and
6 appear ~~in~~ on behalf of the corporation in all actions brought
7 by or against it, unless individually a party, in which case
8 this duty shall be performed by the secretary. The president
9 or the president's designee shall sign, using an original or
10 facsimile signature, all school district ~~warrants~~ payments
11 drawn and authorize electronic funds transfers as provided by
12 law. The board of directors, by resolution, may designate an
13 individual, who shall not be the secretary, to sign ~~warrants~~
14 payments or authorize electronic funds transfers on behalf of
15 the president.

16 Sec. 27. Section 291.6, subsection 3, Code 2011, is amended
17 by striking the subsection and inserting in lieu thereof the
18 following:

19 3. *Accounting records.* Keep an accurate accounting record
20 of each payment or electronic funds transfer from each fund
21 which shall be provided monthly to the board of directors. The
22 secretary of the creditor district shall prepare and deliver to
23 debtor districts an itemized statement of tuition fees charged
24 in accordance with sections 275.55A and 282.11, and section
25 282.24, subsection 1.

26 Sec. 28. Section 291.6, subsection 4, Code 2011, is amended
27 to read as follows:

28 4. *Claims.* Keep an accurate ~~account~~ accounting of all
29 expenses incurred by the corporation, and present the same to
30 the board for audit and payment.

31 Sec. 29. Section 291.7, Code 2011, is amended to read as
32 follows:

33 **291.7 Monthly receipts, disbursements, and balances.**

34 The secretary of each district shall file monthly with the
35 board of directors a complete statement of all receipts and

1 disbursements from ~~the various funds~~ each individual fund
2 during the preceding month, and also the balance remaining on
3 hand in ~~the various funds~~ each individual fund at the close of
4 the period covered by the statement, which monthly statements
5 shall be open to public inspection.

6 Sec. 30. Section 291.8, Code 2011, is amended by striking
7 the section and inserting in lieu thereof the following:

8 **291.8 Payments.**

9 The secretary shall make each authorized payment,
10 countersign using an original or facsimile signature, and
11 maintain accounting records of the payments or electronic funds
12 transfers, showing the number, date, payee, originating fund,
13 the purpose, and the amount, and shall provide to the board at
14 each regular annual meeting a copy of the accounting records
15 maintained by the secretary.

16 Sec. 31. Section 291.12, Code 2011, is amended to read as
17 follows:

18 **291.12 Duties of treasurer — ~~payment of warrants~~ payments.**

19 The treasurer shall receive all moneys belonging to the
20 corporation, pay the same out only upon the order of the
21 president countersigned by the secretary, ~~keeping~~ and shall
22 keep an accurate account ~~accounting record~~ of all receipts
23 and expenditures ~~in a book provided for that purpose~~. The
24 treasurer shall register all ~~orders drawn~~ payments and
25 electronic funds transfers made and reported to the treasurer
26 by the secretary, showing the number, date, to whom drawn, the
27 fund ~~upon~~ from which drawn each payment and transfer was made,
28 the purpose and amount.

29 Sec. 32. Section 291.14, Code 2011, is amended to read as
30 follows:

31 **291.14 Financial statement.**

32 The treasurer shall render a statement of the finances of the
33 corporation whenever required by the board, and the treasurer's
34 ~~books~~ accounting records shall always be open for inspection.

35 Sec. 33. Section 298.2, subsection 5, paragraph a, Code

1 2011, is amended to read as follows:

2 *a.* The proposition to levy the voter-approved physical
3 plant and equipment levy is not affected by a change in
4 the boundaries of the school district, except as otherwise
5 provided in this section. If each school district involved
6 in a school reorganization under chapter 275 has adopted
7 the voter-approved physical plant and equipment levy ~~or the~~
8 ~~sixty-seven and one-half cents per thousand dollars of assessed~~
9 ~~value schoolhouse levy under section 278.1, subsection 7,~~
10 ~~Code 1989, prior to July 1, 1991,~~ and if the voters have not
11 voted upon the proposition to levy the voter-approved physical
12 plant and equipment levy in the reorganized district, the
13 existing voter-approved physical plant and equipment levy or
14 the existing schoolhouse levy, as applicable, is in effect for
15 the reorganized district for the least amount and the shortest
16 time for which it is in effect in any of the districts.

17 Sec. 34. Section 298.2, subsection 6, Code 2011, is amended
18 by striking the subsection.

19 Sec. 35. Section 298.3, subsection 1, paragraph c, Code
20 2011, is amended to read as follows:

21 *c.* The purchase, lease, or lease-purchase of ~~a single unit~~
22 ~~of~~ equipment or technology exceeding five hundred dollars in
23 value per unit purchase, lease, or lease-purchase transaction.
24 Each transaction may include multiple equipment or technology
25 units.

26 Sec. 36. Section 298.3, subsection 1, Code 2011, is amended
27 by adding the following new paragraph:

28 NEW PARAGRAPH. *n.* The purchase, lease, or lease-purchase of
29 desks, furniture, or fixtures exceeding five hundred dollars in
30 value per purchase, lease, or lease-purchase transaction. Each
31 transaction may include multiple desk, furniture, or fixture
32 units.

33 Sec. 37. Section 298A.4, Code 2011, is amended to read as
34 follows:

35 **298A.4 Physical plant and equipment levy fund.**

1 The physical plant and equipment levy fund is a ~~special~~
2 revenue capital projects fund. A physical plant and equipment
3 levy fund must be established in any school corporation which
4 levies the tax authorized, whether regular or voter-approved,
5 under section 298.2.

6 Sec. 38. Section 298A.9, Code 2011, is amended to read as
7 follows:

8 **298A.9 Capital project funds.**

9 A capital project fund must be established in any school
10 corporation which issues bonds or other authorized indebtedness
11 for capital projects or which initiates a capital project, or
12 which receives grants or other funds for capital projects.
13 Boards are authorized to establish more than one capital
14 project fund as necessary. Any balance remaining in a capital
15 project fund after the capital project is completed may be
16 retained for future capital projects in accordance with the
17 original purpose of the bond issue or voter-approved levy; or
18 may be transferred, by board resolution, to the debt service
19 fund, to the physical plant and equipment levy fund or another
20 capital project fund, or ~~other~~ to the fund from which the
21 surplus originated; or transferred to the general fund in
22 accordance with section 278.1, subsection 1, paragraph "e".

23 Sec. 39. Section 298A.13, Code 2011, is amended to read as
24 follows:

25 **298A.13 Trust, permanent, or agency funds.**

26 Trust, permanent, or agency funds shall be established by
27 any school corporation to account for gifts it receives to
28 be used for a particular purpose or to account for money and
29 property received and administered by the district as trustee
30 or custodian or in the capacity of an agent. Boards may
31 establish trust ~~and~~, permanent, or agency funds as necessary.

32 Sec. 40. Section 299A.11, Code 2011, is amended to read as
33 follows:

34 **299A.11 Student records confidential.**

35 Notwithstanding any provision of law or rule to the

1 contrary, personal information in records regarding a child
2 receiving competent private instruction pursuant to this
3 chapter, which are maintained, created, collected, or assembled
4 by or for a state agency, shall be kept confidential in
5 the same manner as personal information in student records
6 maintained, created, collected, or assembled by or for a school
7 corporation or educational institution in accordance with
8 section 22.7, subsection 1. For purposes of this section,
9 "personal information in records regarding a child receiving
10 competent private instruction" shall include the child's
11 name and home address as well as all other information that
12 personally identifies the child.

13 Sec. 41. Section 423F.3, subsection 1, paragraph d, Code
14 2011, is amended by striking the paragraph.

15 Sec. 42. REPEAL. Sections 256.20 and 256.23, Code 2011,
16 are repealed.

17 Sec. 43. REPEAL. Section 297.35, Code 2011, is repealed.

18 Sec. 44. REPEAL. Section 298A.5, Code 2011, is repealed.

19 Sec. 45. EFFECTIVE UPON ENACTMENT AND APPLICABILITY. The
20 section of this Act amending section 257.30, being deemed of
21 immediate importance, takes effect upon enactment and applies
22 to the school budget review committee member terms that begin
23 on or after May 1, 2011.

24 Sec. 46. APPLICABILITY. The sections of this Act amending
25 section 298.3, subsection 1, apply to school budget years
26 beginning on or after July 1, 2011.

27 EXPLANATION

28 This bill makes miscellaneous changes to Code provisions
29 relating to education as follows:

30 STUDENT STATE BOARD OF EDUCATION MEMBER. Code section
31 256.5A is amended to increase the term of the nonvoting student
32 member of the state board of education from one year to two
33 years, and provides that the student must be enrolled in grade
34 10 when applying for the appointment. Currently, a student may
35 be enrolled in grade 10 or 11 at the time the student applies.

1 SCHOOL LAW PRINTING REQUIREMENT. Code section 256.9,
2 subsections 26 and 27, are stricken. The provisions require
3 the director of the department of education to cause to
4 be printed in book form, every four years since 1987, all
5 school laws, and changes to school laws, with forms, rulings,
6 decisions, notes, and suggestions which may aid school officers
7 in the proper discharge of their duties. The book must be
8 furnished to school and area officers and administrators,
9 members of the general assembly, and others as reasonably
10 requested.

11 EMPLOYMENT PRACTICES. Code section 256.10, subsection 2, is
12 amended by striking a provision that prohibits the dismissal
13 of a member of the professional staff for cause without
14 appropriate due process procedures, but adds that the person
15 must not be dismissed without an opportunity to meet with the
16 director of education.

17 AMERICAN INDIAN EDUCATION EXPENSES. Code section 256.30
18 provides for the distribution and administration of moneys
19 in excess of federal moneys to pay the expense of educating
20 American Indian children residing in the Sac and Fox Indian
21 settlement. The bill eliminates language that requires the
22 tribal council to submit an annual report to the department of
23 education accounting for expenditure of the moneys and requires
24 the department of education to certify compliance before the
25 department of management can approve allotment of the moneys.

26 ACCREDITED NONPUBLIC SCHOOL PUPIL ENROLLMENT. Code section
27 257.6 is amended to specify that accredited nonpublic school
28 pupils receiving classes or services funded by federal grants
29 or allocations shall not be counted in a school district's
30 enrollment as shared-time or part-time pupils. The bill makes
31 a conforming change to Code section 257.37, subsection 4.

32 SCHOOL BUDGET REVIEW COMMITTEE (SBRC) MEMBER TERMS. Code
33 section 257.30, subsection 1, is amended to increase the length
34 of the terms served by members of the SBRC from three years to
35 four years. This provision takes effect upon enactment and

1 applies to SBRC member terms that begin on or after May 1,
2 2011.

3 SBRC INTERNET SITE INFORMATION. Code section 257.31,
4 subsection 2, is amended to eliminate a requirement that the
5 school budget review committee specify on its internet site
6 annually the reasons for its recommendations, and instead
7 require that it specify a summary of decisions. The reference
8 to recommendations was tied to a requirement that the committee
9 report to the general assembly any recommended changes in laws
10 relating to school districts, but that requirement was stricken
11 by legislation enacted in 2009.

12 SENIOR YEAR PLUS PROGRAM ELIGIBILITY. Code section 261E.3,
13 subsection 1, paragraph e, is amended to permit a student
14 receiving competent private instruction to demonstrate
15 proficiency, in order to be eligible for the senior year plus
16 program, as evidenced by a selection index score of 141 on
17 the PSAT, a composite score of at least 21 on the ACT, or a
18 sum of at least 990 on the SAT. If a student has not taken
19 the college readiness assessments, or has not achieved the
20 scores specified, a school board may establish alternative but
21 equivalent qualifying performance measures including but not
22 limited to additional administrations of the state assessment,
23 portfolios of student work, student performance rubric, or
24 end-of-course assessments.

25 REDISTRICTING FOLLOWING FEDERAL DECENNIAL CENSUS. Code
26 section 275.23A is amended to move the dates back by which a
27 resolution describing new director district boundaries must be
28 adopted by the school board if the school board redraws its
29 director district boundaries following the federal decennial
30 census. Currently, the resolution can be adopted no earlier
31 than November 15 of the year immediately following the year
32 in which the federal decennial census is taken nor later than
33 May 15 of the second year immediately following the year in
34 which the federal decennial census is taken. The bill moves
35 the timelines to no sooner than November 15 of the second year

1 following the federal decennial census and no later than May 15
2 of the third year following the federal decennial census.

3 MODIFIED ALLOWABLE GROWTH ESTABLISHED BY SBRC. Code section
4 257.40, subsection 1, is amended to eliminate reference to
5 "at-risk" within the term "modified at-risk allowable growth"
6 and to provide that the requests for additional allowable
7 growth for programs for returning dropouts and dropout
8 prevention, which are submitted to the department by school
9 districts, must be either approved by the department or
10 returned unapproved to the school district with comments from
11 the department. Code section 257.41 is amended to provide
12 that the SBRC, rather than the department of management, is
13 responsible for establishing a modified allowable growth for
14 such programs.

15 AEA BUDGET DEADLINES. Code sections 273.3 and 273.23 are
16 amended to extend the dates by which area education agency
17 proposed budgets must be reviewed, approved, or returned by the
18 state board and resubmitted to the state board if the first
19 submission is not approved.

20 FUNDING MEDIA AND EDUCATIONAL SERVICES. Code section
21 257.37, subsection 4, which requires school districts to
22 include in their enrollment reports the number of nonpublic
23 school pupils within each school district for media and
24 educational services provided through the area educational
25 agencies, is amended to prohibit school districts from
26 including in the enrollment report nonpublic school pupils
27 receiving classes or services funded by federal grants or
28 allocations.

29 SCHOOL AND AEA BOARD PAYMENTS AND WARRANTS. Code section
30 279.30 is amended to allow the board of directors of a
31 school district or of an AEA to direct deposit a payment at a
32 financial institution specified by the person entitled to the
33 money. Code section 291.1; Code section 291.6, subsections
34 3 and 4; and Code sections 291.7, 291.8, 291.12, and 291.14
35 are amended to replace references to "books", "registers",

1 and "warrants" with references to payments, electronic funds
2 transfers, and accounting records and to make related changes.

3 SCHOOL FUNDS FOR GIFTS. Code sections 279.42 and 298A.13 are
4 amended to give school districts the option of establishing a
5 permanent fund for gifts received and to allow school districts
6 to deposit funds received from gifts, devises, and bequests
7 into a trust, permanent, or agency fund.

8 SCHOOL DISTRICT ADMINISTRATIVE EXPENDITURES. Code section
9 279.45 is amended to modify outdated language related
10 to a requirement that a school district limit its annual
11 administrative expenses to not more than 5 percent of its
12 general fund for a base year and to replace references to the
13 term "operating fund" with "general fund".

14 ENROLLMENT OF PERSON LISTED ON SEX OFFENDER REGISTRY.
15 Code section 282.9, subsection 1, is amended to notwithstand
16 Code chapter 282, relating to school attendance and tuition,
17 rather than notwithstanding only Code section 282.18, the
18 Code section relating to open enrollment. The language of
19 Code section 282.9, subsection 1, provides that prior to
20 knowingly enrolling a student who is required to register as
21 a sex offender, the school district's board of directors must
22 determine the educational placement of the individual and place
23 notice of that consideration on the board's tentative meeting
24 agenda. If the board denies enrollment to the individual, the
25 school district of residence must provide the individual with
26 educational services in an alternative setting.

27 WHOLE GRADE SHARING AGREEMENTS. Code section 282.10,
28 subsection 4, is amended to provide that the boards of
29 directors of school districts must negotiate the disposition of
30 any funding provided under Code chapter 284, not solely teacher
31 quality funding.

32 OPEN ENROLLMENT BY SIBLING. Code section 282.18, subsection
33 4, is amended to require that a receiving district approve
34 a transfer request submitted after March 1 of the preceding
35 school year if the sibling of the pupil for whom the request

1 is made is already participating in open enrollment to the
2 receiving district. The bill makes a conforming change to Code
3 section 282.18, subsection 5.

4 EVALUATOR TRAINING PROGRAM. Code section 284.10, subsection
5 2, is amended to give program enrollment preference to other
6 practitioners who are not beginning teachers. Currently, only
7 school administrators are given preference.

8 REVENUES FROM THE LEVIES. The bill modifies Code section
9 298.3, subsection 1, to allow the revenue from the regular
10 and voter-approved physical plant and equipment levies to
11 be expended to purchase, lease, or lease-purchase equipment
12 or technology exceeding \$500 in value per transaction,
13 and to permit the purchase, lease, or lease-purchase of
14 desks, furniture, or fixtures exceeding \$500 in value per
15 transaction. Each transaction may include multiple equipment
16 or technology units. Current law allows the purchase, lease,
17 or lease-purchase of single units of equipment or technology.
18 These provisions apply to school budget years beginning on or
19 after July 1, 2011.

20 PHYSICAL PLANT AND EQUIPMENT LEVY. Code section 298A.4
21 is amended to describe the physical plant and equipment levy
22 fund as a "capital projects fund", rather than a "special
23 revenue fund". Corresponding changes are made to Code sections
24 278.1(1)(e), 298.2(5)(a), and 298A.9, while Code sections
25 423F.3(1)(d) and 298.2(6) are stricken, and Code section 297.35
26 is repealed.

27 COMPETENT PRIVATE INSTRUCTION RECORDS. Code section 299A.11
28 is amended to provide that "personal information in records
29 regarding a child receiving competent private instruction"
30 includes the child's name and home address, and any other
31 information that personally identifies the child.

32 CODE CORRECTIONS. The bill makes corrections to Code
33 section 256.9 to change references to model end-of-course
34 assessments and to Code section 259A.1 to change references to
35 subjects covered by high school equivalency diploma tests.

1 CODE SECTIONS REPEALED. The bill repeals the following:

2 1. Code section 256.20, which permits school districts to
3 request approval from the state board of education for a pilot
4 project for a year-around three-semester school year.

5 2. Code section 256.23, which establishes a recruitment and
6 advancement program to provide for the allocation of grants
7 to school corporations for pilot projects that encourage
8 the advancement of women and minorities to administrative
9 positions.

10 3. Code section 298A.5, which provides that the schoolhouse
11 tax levy fund is a special revenue fund and requires school
12 corporations to establish the schoolhouse tax levy fund if it
13 levies the tax authorized by Code section 278.1, subsection 7,
14 Code 1989.